

MILLCREEK, UTAH
ORDINANCE NO. 16

**AN ORDINANCE CREATING THE
MILLCREEK ARTS COUNCIL**

WHEREAS, the Council (the “*Council*”) met in special meeting on December 12, 2016, to consider, among other things, creating the Millcreek Arts Council; and

WHEREAS, Utah Code Ann. § 10-2a-218 provides that upon canvass of the final election of city officers and until the future city becomes legally incorporated, the offices of the future city may perform certain functions, including but not limited to preparing and adopting a compilation of ordinances; and

WHEREAS, on November 22, 2016, the canvass of the final election of the city officers for the City was held and thereby the Council is authorized by Utah Code Ann. §10-2a-218 to prepare and adopt a compilation of ordinances; and

WHEREAS, pursuant to Utah Code Ann. §10-2a-218 and after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of the citizens of Millcreek to create the Millcreek Arts Council.

NOW, THEREFORE, BE IT ORDAINED as follows:

1. **Purpose.** The primary purpose for the Millcreek Arts Council shall include, but not be limited to, the following:

- (a) to promote and encourage public artistic programs;
- (b) to further development of public awareness of and interest in fine and performing arts;
- (c) to provide for the assurance of the artistic needs of the community;
- (d) to provide for the means for the development of a comprehensive plan to encourage and strengthen artistic and cultural resources;
- (e) to develop programs in the arts which shall seek to introduce the visual and performing arts to the residents who have previously not participated in such activities and encourage existing organizations to develop new ways to reach the community;
- (f) to provide a forum of communication between representatives of the community and the Council; and
- (g) to act as an advisory body to the city in all matters pertaining to the arts and the cultural development of the city.

2. **Creation.** There is hereby created an arts council known as the Millcreek Arts Council (the “*Arts Council*”). The Arts Council shall consist of not less than three nor more than 9 members to be appointed by the mayor with the advice and consent of the Council and may be removed by the mayor with the advice and consent of the Council.

3. **Organization, Meetings and Committees.**

(a) More than 50% of the Arts Council shall constitute a quorum for conducting business of the Arts Council and the action can be had upon the vote of the majority present.

(b) The Arts Council may organize committees; adopt administrative rules, bylaws and procedures necessary to accomplish its purpose. Such rules, bylaws and procedures shall be submitted to the Council for approved before taking effect.

4. **Term, Compensation and Vacancy.** Except for the initial terms as provided below, terms shall be for four years. Members of the Arts Council may serve successive terms. At least one-third may be appointed for a period of two year, the second one-third for a period of three years, and the remaining one-third for a period of four years. Vacancies may be filled by the mayor with the advice and consent of the Council to any unexpired term or for the full term as the case may be. However, it is understood that the membership of the Arts Council may fluctuate as provided above. Members of the Arts Council shall serve without compensation.

5. **Jurisdiction.** The Arts Council’s jurisdiction shall be limited to:

(a) the purpose set forth above; and

(b) make recommendations to the mayor or Council.

6. **Meetings.** The Arts Council shall hold regular meetings at least once a month to review the business of the Arts Council and the meetings shall be held at a time and place to be established. The Arts Council meetings shall be open to the public.

7. **Funding.** Funding shall be determined by the Council.

This Ordinance, assigned Ordinance No. 16-___, shall take effect immediately

PASSED AND APPROVED this ___ day of December, 2016.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor elect

ATTEST:

_____, Acting Recorder